

Attorney's Docket No.: 05110-019001

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2/26/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen G. Rybicki

Art Unit : 2171

Serial No. : 09/205,020

Examiner : M. Wang

Filed : December 4, 1998

Title : SYNCHRONIZATION OF DATABASES

Commissioner for Patents
Washington, D.C. 20231

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RESPONSE

Responsive to the office action mailed August 9, 2001.

Two independent claims are pending (1, 2). The examiner has rejected each under 35 USC 102(e) as being anticipated by Bauer (US 5870759). The examiner is urged to reconsider and withdraw the rejection, for Bauer does not come even close to disclosing all of the features of claims 1-2.

Claims 1-2 are directed to a notification protocol that can reduce message traffic during synchronization between two computers. More specifically, a first computer sends a notification of a choice of synchronization mode along with at least one operation under the chosen mode, all before the second computer responds with a confirmation message accepting the proposed mode. By sending an operation under the proposed mode, rather than waiting for acceptance of the mode, message traffic is reduced.

Bauer is just as remote from the claimed invention as the Scott and Carr references on which the examiner relied in the first office action.

There is no suggestion in Bauer of any choice of synchronization mode, or of any scheme by which one computer has a dialog with the other computer to choose a synchronization mode. Bauer is completely silent on the possibility of more than one synchronization mode, and simply

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addresses the steps followed in carrying out the actual synchronization (which, because there is no choice of mode, is always done the same way).

The disclosure in columns 11 and 12 to which the examiner refers are merely steps followed in performing the synchronization. The examiner says that she has interpreted a proposed synchronization mode as the table row refresh message or timestamp, but there is no possible basis for the examiner to make such an interpretation. The table row refresh message is the actual data operation sent between the computers to achieve synchronization. It cannot possibly be what the examiner interprets it to be, as the synchronization mode is not the data operation, itself, but the mode by which the data operations will be exchanged in carrying out the synchronization.

The difference between data operations and the synchronization mode is made clear by the examples given in the application. At page 2, lines 1-21, four synchronization modes are described:

Before the databases can be synchronized, a synchronization mode is negotiated. Four different synchronization modes are typically available: (1) Fast Sync mode (both sides agree to send only additions, modifications, and deletions that occurred in the respective databases since the last synchronization was exchanged); (2) Semi-fast Sync mode (both sides agree to send to a database only additions and modifications, but not deletions; the responder is responsible for determining deletions that occurred since the last synchronization based on differences in the list of records); (3) Slow Sync mode (all records are exchanged; synchronization is performed based on unique record IDs and contains a full history file of previous synchronizations; a comparison of the full records themselves is not required; even applications capable of supporting Fast Sync may need to perform Slow Sync synchronization in certain cases); and (4) Full Re-Sync mode (all records are compared based on the full record contents, rather than on the history file as in "Slow Sync" mode and exchanged, except for records excluded by a filter; filters exclude, e.g., records that exceed a certain size).

The data operations are the additions, modifications, and deletions. The synchronization mode has to do with the process by which these data operations are handled during the synchronization.

Bauer is referring to data operations, not the synchronization mode, in column 11 (and FIGS. 6A, 6B). What is described is that a client computer makes a request for a table refresh from a server computer, i.e., the client initiates a synchronization. The server responds to the request by gathering the refresh data, computing an error correction checksum of it, and transmitting the data back to the client along with a refresh timestamp. If the client is able to successfully update its database with the refresh data, then it sends an acknowledgement back to the server along with a copy of the refresh timestamp. This is the age old process of one computer asking for data, receiving it, and then sending an acknowledgement of successful receipt.

There is not the slightest suggestion in this discussion in column 11 or FIGS. 6A, 6B (or anywhere else in Bauer) of more than one synchronization mode, let alone of one computer notifying the other of a choice of mode. In column 11 and FIGS. 6A, 6B, Bauer simply refers to the client requesting a refresh (i.e., initiating a synchronization). There is no mention of the client proposing a synchronization mode.

It is also worth noting that even if Bauer had dealt with different synchronization modes (and it very clear does not), the reference would still fall way short of teaching the invention, which calls for the clever arrangement of having the first computer send notification of the synchronization mode along with at least one operation before the second computer returns a message accepting the proposed synchronization mode.

Accordingly, claims 1-2 are in condition for allowance.

The remaining claims are all properly dependent on claims 1-2, and are thus allowable therewith. Each adds at least one additional limitation that enhances patentability, but those limitations are not presently relied upon.

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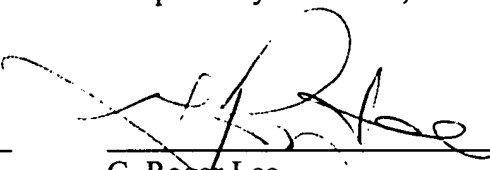
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Respectfully submitted,

Date: _____

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